

IN THE UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF ARKANSAS  
FAYETTEVILLE DIVISION

DUSTIN MICHAEL JONES

PLAINTIFF

V.

No. 16-5299

JOHN DOE, OFFICER of the CITY  
OF ROGER, et at

DEFENDANT

REPORT AND RECOMMENDATION

Before the undersigned for report and recommendation is the Complaint (Doc. 1) filed October 20, 2016. For the reasons stated below it is recommended that the complaint be **DISMISSED** without **PREJUDICE** based upon the Plaintiff's failure to prosecute his complaint.

The court granted IFP status on October 20, 2016 and ordered to Plaintiff to provide additional information about the John Doe defendant. (Doc. 3). The Plaintiff failed to respond. On December 2, 2016 the court ordered the Plaintiff to provide additional information to substantiate his complaint. (Doc. 6). The Plaintiff failed to respond. On December 13, 2016 the court entered an Order to Show cause directing the Plaintiff to respond by December 30, 2016. The Plaintiff has failed to respond.

The court notes that mail was returned as undeliverable on December 12, 2016 (Doc. 7) and December 20, 2016. (Doc. 9).

The Complaint (Doc. 1) should be DISMISSED without PREJUDICE.

**The Plaintiff has fourteen days from receipt of this report and recommendation in which to file written objections pursuant to 28 U.S.C. Section 636(b)(1). The failure to file**

timely written objections may result in waiver of the right to appeal questions of fact. The plaintiff is reminded that objections must be both timely and specific to trigger de novo review by the district court.

Dated this January 9, 2017

/s/ J. Marschewski

HON. JAMES R. MARSCHEWSKI  
U. S. MAGISTRATE JUDGE